

Montana Fish, Wildlife and Parks

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ENVIRONMENTAL ASSESSMENT CHECKLIST

Fur Farm, Game Bird Farm, Zoo/Menagerie, Shooting Preserve

PART 1. PROPOSED ACTION DESCRIPTION

Project Title: Freeman Roadside Menagerie Permit

Application Date: April 30, 2008

Name, Address and Phone Number: Corynne A. Freeman, 76 W. Parrot Creek, Roundup, MT 59072. Telephone # (406) 323-3291

Project Location: That part of Section 25, Township 4S, Range 21E, Boyd First Addition, Lt. 1 Blk 1. Physical address of facility is 7 1st Street, Boyd Montana, 59103.

Description of Project: Roadside menageries are regulated through the provisions set forth in 87-4-801 et al, MCA, the Administrative Rules of Montana and license stipulations, if any, established through the permitting process. Roadside menageries allow the possession of some animals that are normally restricted in the state of Montana and also allow for using wild animals for exhibition or attracting trade.

On April 30, 2008 Montana Fish, Wildlife & Parks (FWP) Region 5 received an application for a roadside menagerie permit at Boyd, Montana. The proposal stated that operation of the roadside menagerie would be seasonal during the months of June, July, and August and the first two weeks of September, potentially closing after that time period in the location indicated. The applicant proposes housing one anteater (*Tamandua spp*) indoors in a welded wire 5x10x6h commercial kennel. One African bushbaby (*Galago moholi*) will be housed indoors in a standard commercial welded wrought iron parrot cage. One kinkajou (*Potos flavus*) will be housed indoors in a welded wire 3x4x3h kennel. One iguana (*Iguana iguana*) will be housed indoors in a 4x4x8h wood and plastic mesh cage. On Burmese python (*Molurus bivittatus*) will be housed indoors in a 2 ½ x7x2h fully enclosed wood and wire (front only) cage with locking doors. Two straw colored fruit bats (*Eidolon helvum*) will be housed indoors in a 4 1/2x11x6h enclosure. Two red footed tortoises (*Geochelone carbonia*) and two sulcatas (*Geochelone sulcata*) will be housed indoors in a wood and glass habitat. Two Russian tortoises (*Agriemys horsfieldii*) will be housed in a fenced tortoise yard during the day and indoors at night. Four sugar gliders (*Glaucomys volans*) will be housed indoors in standard glider caging – 2x2x4h. Four hedgehogs (*Erinaceus albiventris*) will be housed indoors in commercial welded wire caging. Six chinchillas (*Chinchilla lingera*) will be housed indoors in commercial welded wire caging. Eight parrots will be housed indoors in standard commercial welded wrought iron parrot cages. During the summer, the anteater would be allowed access to an outside 5 ft by 10 ft aluminum kennel. The application was reviewed and determined to be complete in early May,

2008 by FWP. In accordance with the Montana Environmental Policy Act, FWP is required to prepare an Environmental Assessment (EA).

The EA considers the impacts to the physical and human environments if a roadside menagerie permit is granted. Three alternatives were considered: 1) Do not issue the permit (no action); 2) issue the permit; and, 3) issue the permit with stipulations to mitigate identified impacts. If a permit is issued FWP has further responsibility to inspect and approve cages and facilities for size, strength and general animal welfare (ARM 12.6.1532).

Other groups or agencies contacted or which may have overlapping jurisdiction:

Ms. Freeman has been issued a Class C Exhibitor's permit by The USDA. Montana Fish, Wildlife and Parks has also issued Ms Freeman a roadside animal menagerie permit which allows for the possession of one short- tailed opossum and one tamandua (for exhibition purposes) for her facility in Roundup, Montana.

Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action when alternatives are reasonably available and prudent to consider. Include a discussion of how the alternatives would be implemented:

Alternative 1: No Action. Under this alternative, a roadside menagerie license would not be issued. This alternative would only be adopted if the menagerie were prohibited by local ordinance; the applicant was unfit due to past violations pertaining to animal welfare or other applicable statutes; or, the EA or public comment identified significant impacts to the human or physical environments that could not be mitigated.

Alternative 2: Issue the license. Under this alternative, the roadside menagerie license would be issued pending inspection and approval of the cages. The identified impacts to the human and physical environments were all judged to be minor and easily mitigated through routine sanitation, sound food storage and sound cage design and construction.

Alternative 3: Issue the license with stipulations. (Preferred Alternative). Under this alternative the roadside menagerie license would be issued with stipulations to mitigate identified impacts. List suggested conditions attached to this license:

1. If the applicant adds animals of the same species to the menagerie, FWP would require confirmation that new animals were of the same sex as those of the same species already in the menagerie. *(addition of animals of the same species for breeding purposes would require a supplemental evaluation)*
2. FWP has the right and responsibility under 87-4-806 MCA to conduct periodic inspections of menageries. Other state and local ordinances regarding animal welfare may also apply.

3. If the animals are exhibited offsite, FWP must ensure that the animals are transported to and from the exhibition locations in a suitable cage. Exhibition offsite will require authorization from FWP and the applicant will be required to sign an indemnity agreement indemnifying FWP should any property damage or personal injury take place. *(this is consistent with the FWP policy regarding offsite exhibition of roadside menagerie animals –copy attached)*
4. No public contact will be allowed with the animals covered under the menagerie permit unless authorization is provided on a per species basis by FWP with accompanying mitigation measures. *(this is consistent with the FWP policy regarding offsite exhibition of roadside menagerie animals –copy attached)*

PART 2. ENVIRONMENTAL REVIEW

Table 1. Potential impact on physical environment.

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Below Or On Attached Pages
1. Unique, endangered, fragile, or limited environmental resources				X		
2. Terrestrial or aquatic life and/or habitats				X		
3. Introduction of new species into an area			X		X	1.1
4. Vegetation cover, quantity & quality				X		
5. Water quality, quantity & distribution (surface or groundwater)				X		
6. Existing water right or reservation				X		
7. Geology & soil quality, stability & moisture				X		
8. Air quality or objectionable odors				X		
9. Historical & archaeological sites				X		
10. Demands on environmental resources of land, water, air & energy				X		
11. Aesthetics				X		

Comments

(A description of potentially significant, or unknown, impacts and potential alternatives for mitigation must be provided.)

1.1 Burmese pythons and anteaters are prohibited species for private possession in Montana and there are concerns that if they escaped they may survive and breed in Montana. This potential has been mitigated since the applicant has requested possession of only one animal of each species. If additional animals are obtained they must be of same sex. In addition, the facilities as designed are sufficient to hold the animals and prevent escape.

Table 2. Potential impacts on human environment .

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Below Or On Attached Pages
1. Social structures and cultural diversity				X		
2. Changes in existing public benefits provided by wildlife populations and/or habitat				X		
3. Local and state tax base and tax revenue				X		
4. Agricultural production				X		
5. Human health					X	2.1
6. Quantity & distribution of community & personal income				X		
7. Access to & quality of recreational activities				X		
8. Locally adopted environmental plans & goals (ordinances)				X		
9. Distribution & density of population and housing				X		
10. Demands for government services			X		X	2.2
11. Industrial and/or commercial activity				X		

Comments

(A description of potentially significant, or unknown, impacts and potential alternatives for mitigation must be provided as comments.)

- 2.1 There is potential for human health concerns with exotic species due to the possibility of contact of zoonotic diseases. These concerns will be mitigated through restrictions on public contact and through the use of hand wash stations anytime that public contact is allowed.
- 2.2 FWP has the responsibility under 87-4-801 et al, MCA, to provide and review applications for roadside menageries . The process involves both the Wildlife and Enforcement Divisions of FWP. Licensees have the responsibility for cage construction, animal welfare, and record keeping. In the event the facility is not being run in accordance with the applicable statutes, FWP can impose stipulations, fines, confiscate animals, and revoke permits without right of renewal.

Based on the significance criteria evaluated in this EA, is an EIS required (YES/NO)? If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.

No – There are no potentially significant impacts identified in this EA.

Does the proposed action involve potential risks or adverse effects, which are uncertain but extremely harmful if they were to occur?

Potential, although unlikely risk of a short tailed possum surviving if it were to escape. Because there will not be a breeding pair and because appropriate enclosures will be inspected prior to licensure, the possibility of escape and breeding is below the level of significance.

Does the proposed action have impacts that are individually minor, but cumulatively significant or potentially significant?

No.

Individuals or groups contributing to, or commenting on, this EA:

The EA was posted on the FWP website and made available for comment on June 9, 2008. In addition, a legal advertisement was posted in the local Red Lodge, MT newspaper soliciting public comment.

Comments due by: June 27, 2008

EA prepared by: Shawn T. Stewart

Date Completed: June 12, 2008

Email address for comments: sstewart@cablemt.net

Mail comments to: MT Fish, Wildlife & Parks

Attn: Shawn T. Stewart
PO Box 581
Red Lodge, MT 59068
406-446-4150

Describe public involvement, if any: Public comments were solicited by placing the EA on

the FWP website at fwp.mt.gov, and by placing a legal advertisement in the Carbon county newspaper soliciting public comment.

PART 3. DECISION (this portion will not be completed until the comment period has been completed and any comments evaluated)

Recommendation and justification concerning preparation of EIS: There were no significant impacts identified in this EA that would indicate the need for an EIS.

Recommendation for license approval: _____

Wildlife Manager

Date

Warden Captain

Date

Department of Fish, Wildlife & Parks

Exhibition Requirements for Roadside Menageries

- Requests for permission to take captive wildlife to shows, fairs, etc. must be received at least 10 working days (state working days) prior to the first date of departure. Failure to do so may result in denial of permission. This will allow the persons involved to prepare for the special circumstances involved with exhibitions.
- A request for exhibition must include a list of the animals to be exhibited; dates, times, and location of exhibition; a description of the enclosures or restraint to be used for exhibited animals; a listing of the personnel who will be involved with the exhibition; the licensee taking responsibility for the exhibition.
- An indemnity agreement is required for public exhibition of captive wildlife specifying the animals to be exhibited, dates of exhibition, and conditions under which the exhibition will be authorized. FWP will prepare the indemnity agreement indemnifying FWP. The licensee responsible for the exhibition must agree by signature to the conditions of the exhibition.
- If multiple exhibition sites are requested, complete information concerning dates, personnel involved, and animals exhibited must be submitted with the initial request.
- The applicant shall provide a current certificate of insurance to include personal injury and property damage coverage with combined single limits of a minimum of \$1,000,000, aggregate per year, from an insurer with a Best's rating of A- or better. FWP must be made additional insureds on the certificate. The certificate must be filed with FWP.
- The applicant taking primary responsibility for the exhibition must be a licensed roadside menagerie or wild animal menagerie operator who is in compliance with current FWP regulations for their licensed facility.
- Captive wildlife must be exhibited within enclosures capable of preventing escape of the animals. If animals are to be taken out of the enclosures for exhibition, a barricade providing a 20 foot separation from any member of the public must be employed. Only animals which are on a chain or leash and for which the trainer can demonstrate direct physical restraint may be exhibited outside of the enclosure.
- A barricade (rope or wire) will surround the primary enclosure or exhibition area to prevent direct public contact with the animals. Signs will be posted indicating that public contact is not allowed.
- A representative of the licensee must be present at all times that the animals are being exhibited. If animals are left in the enclosures overnight, security must be provided by the applicant. The responsible individual (signature on the indemnity agreement) must provide the names of the individuals assisting in overseeing the animals during exhibition.
- FWP may require additional stipulations as specific or changing circumstances regarding exhibition captive wildlife outside of licensed facilities occur.